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15 ROBERT HUNTER BIDEN

16 **UNITED STATES DISTRICT COURT**

17 **CENTRAL DISTRICT OF CALIFORNIA**

18 **WESTERN DIVISION**

19 ROBERT HUNTER BIDEN, an
individual,

20 Plaintiff,

21 vs.

22 PATRICK M. BYRNE, an individual,

23 Defendant.

Case No. 2:23-cv-09430-SVW-PD

24 **JOINT WITNESS LIST**

Pretrial Conference: November 25, 2024

Time: 3:00 p.m.

Jury Trial December 10, 2024

Time: 9:00 a.m.

25 Judge: Hon. Stephen V. Wilson,
Ctrm. 10A

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Pursuant to Fed. R. Civ. P. 16 and Local Rule 16-5, Plaintiff Robert Hunter Biden (“Plaintiff”) and Defendant Patrick Byrne (“Defendant”) hereby submit the following proposed Joint Witness List. Plaintiff and Defendant expressly reserve the right to amend the Joint Witness List to add witnesses identified as a result of any additional discovery and as may be necessary for impeachment, rebuttal, or otherwise based upon the evidence adduced at trial.

*Indicated that witness will be called only if need arises.

Case Title: Robert Hunter Biden v. Patrick M. Byrne

Case No: 2:23-cv-09430-SVW-PD

PLAINTIFF'S WITNESS LIST

Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
Plaintiff Robert Hunter Biden, c/o Early Sullivan Wright Gizer & McRae LLP, 6420 Wilshire Blvd., 17 th Fl., Los Angeles, CA 90048; (323) 301-4660	Mr. Biden is the plaintiff in this action and has knowledge concerning the defamatory statements made by the Defendant, including the falsity of those statements and evidence supporting the same. This includes a timeline of harassment and malice from Defendant directed at Mr. Biden and his family before and after Defendant published his defamatory statements. Mr. Biden will testify about emotional distress and mental anguish he has experienced as a result of the Defendant's statements,	5 hours	5 hours	

1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
				including the impact those statements have had on his day-to-day life and his family's lives. Mr. Biden will also testify about the economic damages he has suffered as a result of Defendant's defamatory statements. Mr. Biden will also testify about his own personal history. Mr. Biden will testify about the impact Defendant's defamatory statements have had on his and his family's social life, particularly within the Jewish community. This witness will testify live. Plaintiff will also be cross-examined concerning his status as a public figure and the status of reputation both before and after the statements were made by Defendant.			
			Melissa Cohen-Biden, c/o Early Sullivan Wright Gizer & McRae LLP, 6420 Wilshire Blvd., 17 th Fl., Los Angeles, CA 90048; (323)	Mrs. Cohen-Biden is the wife of the Plaintiff, Mr. Biden. Mrs. Cohen-Biden has knowledge concerning the statements made by the Defendant, including the falsity of those statements and evidence supporting the same. Mrs. Cohen-			

1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
301-4660	Biden will testify about her knowledge of the statements made by Defendant about Mr. Biden, including a timeline of harassment and malice from Defendant directed at Mr. Biden and his family, both before the statements were published and after. Mrs. Cohen-Biden will testify about how Defendant's statements impacted her husband's mental health and caused him emotional distress. Mrs. Cohen-Biden will also testify about the economic damages Plaintiff has suffered as a result of Defendant's statements. Mrs. Cohen-Biden will testify about the impact Defendant's statements have had on her husband's and her family's social life, particularly within the Jewish community. This witness will testify live.	3 hours	1 hour			
Patrick M. Byrne, c/o Law Offices of Michael C. Murphy, 2625 Townsgate Road, Suite 330,	Mr. Byrne is the defendant in this matter and has knowledge about the defamatory statements he made about Plaintiff, including the evidentiary					

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
	Westlake Village, CA 91361; (818) 558-3718	basis (or lack thereof), the falsity of those statements, what processes he went through to verify his defamatory statements before he made them, and what he relied upon in making such defamatory statements. Mr. Byrne has knowledge of his own political biases, his actual malice toward Plaintiff and his family, his affiliations with right-wing groups and people, and his general motivations behind making the defamatory statements. Mr. Byrne will also have knowledge about the publication of the defamatory statements and the republication of the same statements in various interviews, social media posts, books, and visual productions. Mr. Byrne will also have knowledge about the evidence he claims supports his defenses in this action. This witness is expected to testify live.	5 hours	5 hours	
	*Retired Lieutenant General Michael Flynn, c/o	Mr. Flynn is a retired Lieutenant General of the U.S. Army and he wrote			

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
																												Binnall Law Group, 717 King Street, Suite 200, Alexandria, VA 22314; (703) 888-1943	the introductory statement to the article in which Defendant's statements were initially published, claiming that everything Defendant said was true. If necessary, Mr. Flynn will testify about his knowledge of the evidentiary basis for Defendant's statements, his affiliation with Defendants and right-wing groups, his financial interests in Defendant's various ventures and organizations, and his knowledge of Defendant's malice toward Plaintiff and his family, including the motivations of Defendant in making the statements.	1 hour	1 hour	
																												*Anil Anwar, c/o Michael Edminster, Esq., 758 Main Street, Carbondale, CO 81623; (330) 752-3788	Mr. Anwar is the editor-in-chief of the magazine that Defendant's statements were published in, Capitol Times Magazine, and is the CEO of Capitol Times Media, LLC, which is the parent company that owns Capitol Times Magazine. If necessary, Mr. Anwar is expected to have knowledge about the publication of Defendant's statements, how the	1 hour	1 hour	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
			publication of Defendant's statements initially came to be, the number of views or clicks the Article at issue has generated, how much income the Article has generated, his business relationship with Defendant, and Defendant's biases and political motivations behind publishing his statements about Plaintiff.			
		*Mary Jones, contact information unknown	Ms. Jones is listed as a "contributor" to the June 27, 2023 edition of Capitol Times Magazine in which Defendant's statements were published. If necessary and to the extent she has relevant knowledge, Ms. Jones is expected to testify about her knowledge of Defendant and his statements, including the evidentiary basis therefore, her knowledge about the publication of Defendant's statements, how the publication of Defendant's statements initially came to be, and Defendant's biases, malice, and political motivations behind	1 hour	1 hour	

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
			publishing his statements about Plaintiff.			
		*Andrew Joseph, contact information unknown	Mr. Joseph is listed as a “contributor” to the June 27, 2023, edition of Capitol Times Magazine in which Defendant’s statements were published. If necessary and to the extent he has relevant knowledge, Mr. Joseph is expected to testify about his knowledge of Defendant and his statements, including the evidentiary basis therefore, his knowledge about the publication of Defendant’s statements, how the publication of Defendant’s statements initially came to be, and Defendant’s biases, malice, and political motivations behind publishing his statements about Plaintiff.	1 hour	1 hour	
		*Johnson Hall, contact information unknown	Mr. Hall is listed as a “contributor” to the June 27, 2023, edition of Capitol Times Magazine in which Defendant’s statements were published. If necessary and to the extent he has relevant knowledge, Mr. Hall is expected to			

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		testify about his knowledge of Defendant and his statements, including the evidentiary basis therefore, his knowledge about the publication of Defendant's statements, how the publication of Defendant's statements initially came to be, and Defendant's biases, malice, and political motivations behind publishing his statements about Plaintiff.	1 hour	1 hour	
	*George Berges, c/o The Law Office of James D. Doyle, 1325 Long pond Road, Rochester, NY 14626; (585) 723-0480	Mr. Berges is the owner and operator of an art gallery which shows and sells Plaintiff's art. Mr. Berges has knowledge about the success and sales of Plaintiff's artwork, and the impact that such had on Plaintiff's reputation throughout the relevant period. If necessary, Mr. Berges will testify about the foregoing topics, as well as the trend of sales of Plaintiff's art was impacted after Defendant published his statements.	2 hours	1 hour	
	*Dr. Alyssa Berlin; 6221 Wilshire Blvd., Suite 518,	Dr. Berlin is a medical practitioner, therapist, and mental health expert who			

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Los Angeles, CA 90048; (323) 549- 0070	has been providing therapy to Plaintiff for his emotional distress and mental anguish for several years. If necessary, Dr. Berlin will testify about Plaintiff's mental state, her treatment of him and therapy she provided, and her own professional impressions based on the foregoing.	2 hours	1 hour		
*David Smith; FBI Field Office, 601 W. 4 th Street, Washington, D.C.; (202) 278-2000	Mr. Smith was identified by Defendant as a possible witness and the person who verified the voicemails Defendant claims supports his defenses in this matter. Mr. Smith is expected to testify about his alleged involvement in verifying and/or reviewing those voicemails produced by Defendant in this action.	1 hour	1 hour		

DEFENDANT'S WITNESS LIST

24 25 26 27 28	Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
	Nathan E. Lavid,	Dr. Lavid conducted an	2.00	1 hour	

1 2 3 4	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28
Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony
MD; 65 Pine Ave., Long Beach, CA 90802; (562) 912- 4646	IME of Plaintiff including testing. He will testify that Plaintiff did not suffer from any type of severe or emotional distress and damages from Defendant's statements due to his lack of impairment of doing daily living and his emotional stress is caused by the numerous stressors in his life that have nothing to do with Defendant's statements in this case. .	hours		
Mr. Garrett Ziegler, 2817 Reed Rd., Suite 2, Bloomington, IL 61704, (309) 306- 1391.	Mr. Garrett is involved in the publication and sale of a publication commonly known as the "Report on the Biden Laptop" on or about October 19, 2022 that contains 636 pages of statements that attack the credibility and character of Plaintiff that is irrelevant to show that Plaintiff has a long standing bad reputation and from information he obtained from his laptop.	2.00 hours	2 hours	
Mr. Konstantinos "Gus" Dimitrelos; Cyber Forensics, 921 Connie St.,	Mr. Dimitrelos has knowledge and information regarding the authenticity of the information	2.00 hours	1.5 hours	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	
Witness's Name*, Phone Number, Address	Summary of Testimony / Why Testimony Unique	Time for Direct Exam (hours)	Time for Cross Exam (hours)	Dates of Testimony																								
Casper, WY 82604, (307) 439- 5440.	contained on Plaintiff's laptop and that the information was correctly published throughout the media world throughout the United States that tainted Plaintiff's reputation.																											
Patrick M. Byrne, c/o Law Offices of Michael C. Murphy, 2625 Townsgate Road, Suite 330, Westlake Village, CA 91361; (818) 558-3718	Mr. Byrne is the defendant in this matter and has knowledge about the statements he made about Plaintiff, including the evidentiary basis, his belief that the information contained in the statements were true and he had no serious doubts the statements were true, what processes he went through to verify his statements before he made them, and what he relied upon in making such statements. Mr. Byrne will also have knowledge about the publication of the statements and the republication of the same statements in various interviews, social media posts, books, and visual productions. Mr. Byrne will also have knowledge about the evidence he	5.00 hours	5 hours																									

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		claims supports his defenses in this action.			
	John Moynihan; FJM & Associates, LLC, 48 Kenwood, Worcester, MA 01665; (313) 410- 6872	Mr. Moynihan has information about the authentication of the tapes produced in discovery	1.00 hour	1 hour	

Pursuant to Local Rule 16-8.2, Defendant reserves the right to amend the joint witness list prior to and at the final Pretrial Conference of this case.

Dated: November 5, 2024

EARLY SULLIVAN WRIGHT
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By: /s/ Zachary C. Hansen
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12 *Attorneys for Plaintiff*
13 *Robert Hunter Biden*

14 Dated: November 5, 2024

15 LAW OFFICES OF MICHAEL C. MURPHY

16 By: /s/ Michael C. Murphy
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18 Michael C. Murphy, Jr., Esq.

19 *Attorneys for Defendant*
20 *Patrick Byrne*